

Message Text

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QUOTE

UNCLAS USUN 0828

EO 11652: NA

TAGS: SOCI, UN

SUBJECT: HUMAN RIGHTS COMMISSION -- CHILEAN REPLY TO HRC

REF: SANTIAGO 1165

1. FOLLOWING LETTER DATED 7 MARCH FROM CHILEAN PERMREP TO CHAIRMAN HRC CONSTITUTES REPLY TO TELEGRAM ADOPTED BY HRC 1 MARCH AND SENT TO GOC BY CHAIRMAN. LETTER WAS REPRODUCED BY SECT 8 MARCH AND CIRCULATED AT END OF DAY AFTER HRC HAD AMENDED AND ADOPTED REPORT ON SESSION.

QTE

LETTER DATED 7 MARCH 1974 FROM THE PERMANENT REPRESENTATIVE OF CHILE TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE COMMISSION ON HUMAN RIGHTS IN REPLY TO THE TELEGRAM ADOPTED BY THE COMMISSION ON 1 MARCH 1974 AND SENT TO THE GOVERNMENT OF CHILE BY THE CHAIRMAN OF THE COMMISSION#
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I HAVE RECEIVED INSTRUCTIONS FROM THE MINISTER FOR FOREIGN AFFAIRS OF CHILE TO TRANSMIT TO YOU THE FOLLOWING COMMUNICATION:

SIR,

FIRSTLY, BECAUSE OF THE SPECIAL REGARD IN WHICH THE GOVERNMENT OF CHILE HOLDS THE COMMISSION ON HUMAN RIGHTS, THOSE COUNTRIES PARTICIPATING IN IT WHICH ARE GENUINELY INTERESTED IN SUCH RIGHTS AND YOU PERSONALLY, I AM REPLYING TO THE TELEGRAM WHICH YOU SENT TO ME ON BEHALF OF THE COMMISSION.

SECONDLY, IT IS UNFORTUNATE, BECAUSE IT MIGHT LEAD TO CONFUSION, THAT THIS TELEGRAM SHOULD HAVE BEEN SENT AT A TIME WHEN THE SOVIET UNION HAS ENGINEERED A CAMPAIGN TO ATTACK THE GOVERNMENT OF CHILE, CHARGING IT WITH ALLEGED VIOLATIONS OF HUMAN RIGHTS. FOR THIS PURPOSE THE SOVIET UNION HAS MADE USE OF ALL ITS ORGANIZATIONS WHICH ACT AS A FRONT AND OTHER SUPPORTERS AND HAS INSTRUCTED THEM TO SEND TO THE UNITED NATIONS HUNDREDS OF TELEGRAMS WITH THE AIM OF ARTIFICIALLY CREATING ALLEGED WORLD-WIDE CONCERN FOR THE SITUATION IN CHILE. THE SOVIET UNION CANNOT ACCUSE ANYONE OF VIOLATING HUMAN RIGHTS, BECAUSE IT HAS BEEN SYSTEMATICALLY AND GROSSLY VIOLATING THEM ITSELF FOR MORE THAN HALF A CENTURY. EVEN MORE, IT IS MORALLY UNQUALIFIED TO DO SO IN THE PRESENT CASE, BECAUSE ITS ATTEMPT TO SUBJUGATE CHILE THROUGH ARMED INTERVENTION LED TO THE BREAKDOWN, THREE YEARS AGO, OF OUR DEMOCRATIC INSTITUTIONS AND TO THE SUPPRESSION OF FUNDAMENTAL HUMAN RIGHTS IN MY COUNTRY. THE COUNTRY RESPONSIBLE FOR ALL THE UPHEAVAL AND SUFFERING WHICH CHILE ENDURED DURING THESE THREE YEARS IN THE SOVIET UNION, WHOSE AVERSION TO THE PRESENT GOVERNMENT OF CHILE IS DUE PRECISELY TO THE FACT THAT THIS GOVERNMENT HAS SUCCEEDED IN RESTORING OUR DEMOCRACY AND FULL RESPECT FOR HUMAN RIGHTS.

THIRDLY, IT IS UNFORTUNATE THAT THIS CAMPAIGN OF THE SOVIET UNION SHOULD HAVE DISTORTED, IN THE COMMISSION, THE REAL PICTURE OF HUMAN RIGHTS IN THE WORLD TO THE POINT OF IMPRESSING IT WITH A DESCRIPTION OF EVENTS WHICH NEVER HAPPENED IN CHILE, OF DIVERTING THE COMMISSION'S ATTENTION FROM THE PROBLEMS WITH WHICH IT SHOULD REALLY CONCERN ITSELF

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AND OF INDUCING IT TO PRACTISE UNFAIR DISCRIMINATION BY ADDRESSING ITSELF TO THE GOVERNMENT OF CHILE CONCERNING A TEMPORARY SITUATION WHICH IS FULLY IN ACCORD WITH THE CHILEAN CONSTITUTION AND THE INTERNATIONAL CONVENANTS ON HUMAN RIGHTS, WHILE IN THE MEANWHILE OVERLOOKING THE MOST PERSISTENT, GROSS AND SYSTEMATIC PATTERN OF VIOLATION OF HUMAN RIGHTS OF OUR TIME, NAMELY, THAT PRESENTED BY THE SOVIET UNION AND THE COUNTRIES SUBJECT TO IT.

FOURTHLY, THE GOVERNMENT OF CHILE, AFTER FRUSTRATING THE ARMED INTERVENTION PREPARED BY THE SOVIET UNION IN ORDER TO SUBJECT THE MAJORITY OF THE POPULATION BY FORCE AND SET UP A TOTALITARIAN DICTATORSHIP, WAS OBLIGED TO ADOPT SOME SECURITY MEASURES SO AS TO PREVENT FURTHER ACTS OF INTERVENTION IN THAT COUNTRY, INTERVENTION WHICH IS TO BE FEARED BECAUSE OF THE SOVIET UNION'S REPEATED THREATS AND MASSIVE CAMPAIGN OF SLANDER. IN ACCORDANCE WITH PROVISIONS SET FORTH IN THE CHILEAN CONSTITUTION, WHICH ARE SANCTIONED BY ALL THE INTERNATIONAL CONVENTIONS ON HUMAN RIGHTS, THE RIGHT TO INDIVIDUAL LIBERTY HAS BEEN RESTRICTED FOR THE DURATION OF THIS EMERGENCY. FOR REASONS OF PUBLIC SECURITY THESE PROVISIONS AUTHORIZE THE DETENTION OF PERSONS IN PLACES OTHER THAN PRISONS. IT IS BY VIRTUE OF THESE PROVISIONS THAT THE PERSONS MENTIONED IN YOUR CABLE ARE UNDER DETENTION. ALL OF THEM ARE IN GOOD HEALTH, RECEIVE VISITORS AND ARE LODGED IN A NAVAL BASE WHERE THEY ENJOY THE SAME COMFORTS AS OFFICERS OF THE NAVY. THIS WAS PROVED IN A TELEVISION PROGRAMME BROADCAST LAST WEEK IN THE UNITED STATES AND OTHER COUNTRIES. THESE PERSONS WILL REMAIN UNDER DETENTION FOR THE DURATION OF THE PRESENT EMERGENCY, ALTHOUGH MANY OF THEM WERE RELEASED WHEN IT WAS ESTABLISHED IN SOME CASES THAT THIS MEASURE WAS NO LONGER NECESSARY. AT THE END OF THE EMERGENCY, ALL THOSE UNDER DETENTION WILL BE RELEASED BY THE GOVERNMENT AND MAY LEAVE THE COUNTRY, IF THEY SO DESIRE, EXCEPT FOR THOSE WHO ARE PROSECUTED FOR COMMON CRIMES PUNISHABLE UNDER LAWS ANTEDATING THE ACTS WITH WHICH THEY ARE CHARGED AND WHOSE DETENTION OR LIBERTY CAN BE DECIDED ONLY BY THE ORDINARY COURTS OF JUSTICE.

FIFTHLY, I REITERATE THAT THE GOVERNMENT OF CHILE STEADFASTLY ABIDES BY THE PROVISIONS OF ITS CONSTITUTION
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AND THE CONVENTIONS PERTAINING TO HUMAN RIGHTS. WE WISH THE PROTECTION OF SUCH RIGHTS UNDER THE CONVENTIONS TO BE STRENGTHENED AS MUCH AS POSSIBLE, FOR WHICH PURPOSE OUR PERMANENT REPRESENTATIVE HAS MADE SOME PROPOSALS IN THE COMMISSION. THUS, RESPECT FOR ALL HUMAN RIGHTS WILL BE MADE MORE EFFECTIVE, STARTING WITH THE RIGHT OF SELF-DETERMINATION OF PEOPLES, THE VIOLATION OF WHICH BROUGHT UPON CHILE ALL THE MISFORTUNES WE HAVE SUFFERED.

SIXTHLY, AS THE GOVERNMENT OF CHILE HAS STRICTLY COMPLIED, AND WILL CONTINUE STRICTLY TO COMPLY, WITH THE ABOVE-MENTIONED PROVISIONS PRESCRIBING THE RESPECT OF HUMAN RIGHTS, I MUST STATE, IN REPLY TO THE SPECIFIC POINTS RAISED IN THE COMMISSION'S TELEGRAM, THAT THE GOVERNMENT CANNOT PUT AN END TO VIOLATIONS WHICH IT HAS NOT COMMITTED, NOR ADOPT

IN FAVOUR OF PERSONS ANY MEASURES OTHER THAN THOSE IT
ADOPTED FROM THE VERY DAY ON WHICH IT ASSUMED ITS
RESPONSIBILITIES. THE COMMISSION CAN THEREFORE REST ASSURED
THAT UNDER THE PRESENT GOVERNMENT OF CHILE NO ARBITRARY
ACTION HAS BEEN OR WILL BE TAKEN AGAINST ANY PERSONS,
THAT THEIR RIGHTS HAVE BEEN AND WILL BE RESPECTED AND THAT
THE LIFE OF NO PERSON IN THE COUNTRY IS THREATENED.

ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION.

(SIGNED) ISMAEL HUERTA DIAZ
VICE-ADMIRAL, MINISTER FOR FOREIGN
AFFAIRS OF CHILE

ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION.

(SIGNED) RAUL BAZAN DAVILA
AMBASSADOR
PERMANENT REPRESENTATIVE OF CHILE

#CIRCULATED ON THE INSTRUCTIONS OF THE CHAIRMAN OF THE
COMMISSION ON HUMAN RIGHTS. UNQTE.
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